

# **Exhibit C**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**ASUS TECHNOLOGY LICENSING INC.  
AND CELERITY IP, LLC,**

**Plaintiffs,**

**v.**

**AT&T CORP.,  
AT&T MOBILITY LLC,  
AT&T MOBILITY II LLC,  
AT&T SERVICES, INC.,  
T-MOBILE USA, INC., AND CELLCO  
PARTNERSHIP D/B/A VERIZON WIRELESS,**

**Defendants,**

**ERICSSON INC.,**

**Intervenor,**

**NOKIA OF AMERICA CORPORATION,**

**Intervenor.**

**Civil Action No. 2:23-CV-486**

**(Lead Case)**

**Civil Action No. 2:23-CV-487**

**(Member Case)**

**Civil Action No. 2:23-CV-488**

**(Member Case)**

**JURY TRIAL DEMANDED**

**AT&T CORP.,  
AT&T MOBILITY LLC,  
AT&T MOBILITY II LLC,  
AT&T SERVICES, INC.,  
T-MOBILE USA, INC.,  
CELLCO PARTNERSHIP D/B/A VERIZON  
WIRELESS, AND ERICSSON INC.,**

**Counterclaim Plaintiffs,**

**v.**

**ASUSTEK COMPUTER INC.,  
ASUS TECHNOLOGY LICENSING INC.,  
AND CELERITY IP, LLC,**

**Counterclaim Defendants,**

**ERICSSON INC.,**

**Civil Action No. 2:23-CV-486**

**(Lead Case)**

**Civil Action No. 2:23-CV-487**

**(Member Case)**

**Civil Action No. 2:23-CV-488**

**(Member Case)**

**JURY TRIAL DEMANDED**

**Intervenor,**  
**NOKIA OF AMERICA CORPORATION,**  
**Intervenor.**

**INNOVATIVE SONIC LIMITED AND  
CELERITY IP, LLC,**

**Plaintiffs,**

**v.**

**T-MOBILE USA, INC., AT&T CORP.,  
AT&T MOBILITY LLC,  
AT&T MOBILITY II LLC,  
AT&T SERVICES, INC., AND  
CELLCO PARTNERSHIP D/B/A VERIZON  
WIRELESS,**

**Defendants,**

**ERICSSON INC.,**

**Intervenor,**

**NOKIA OF AMERICA CORPORATION,**

**Intervenor.**

**Civil Action No. 2:23-CV-490**

**(Lead Case)**

**Civil Action No. 2:23-CV-489**

**(Member Case)**

**Civil Action No. 2:23-CV-491**

**(Member Case)**

**JURY TRIAL DEMANDED**

**T-MOBILE USA, INC., AT&T CORP.,  
AT&T MOBILITY LLC,  
AT&T MOBILITY II LLC,  
AT&T SERVICES, INC.,  
CELLCO PARTNERSHIP D/B/A VERIZON  
WIRELESS, AND ERICSSON INC.,**

**Counterclaim Plaintiffs,**

**v.**

**ASUSTEK COMPUTER INC.,  
INNOVATIVE SONIC LIMITED,  
AND CELERITY IP, LLC,**

**Civil Action No. 2:23-CV-490**

**(Lead Case)**

**Civil Action No. 2:23-CV-489**

**(Member Case)**

**Civil Action No. 2:23-CV-491**

**(Member Case)**

<b>Counterclaim Defendants,</b>  <b>ERICSSON INC.,</b>  <b>Intervenor,</b>  <b>NOKIA OF AMERICA CORPORATION,</b>  <b>Intervenor.</b>	<b>JURY TRIAL DEMANDED</b>
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**DEFENDANTS' INSERTS FOR THE JOINT CLAIM  
CONSTRUCTION AND PREHEARING STATEMENT**

**U.S. Patent No. 7,664,059**

<b>Term #</b>	<b>Claim Term</b>	<b>Claim(s)</b>	<b>Preliminary Construction</b>	<b>Intrinsic Evidence</b>	<b>Extrinsic Evidence</b>
1.	“a sequence number following a sequence number of a last in-sequence acknowledged packet of a transmitter”	1	“a Sequence Number of a next expected acknowledged Protocol Data Unit (PDU), meaning the SN following an SN of a last in-sequence acknowledged PDU.”	1:63-67, 2:1-25, 2:39-43, 2:63-3:1, 3:11-20, 4:20-25, 4:31-56, 4:66-5:11, 5:22-35, 6:1-17, 6:21-31, 6:44-53; '059 Patent FH, 09-03-2009 Reply to Office Action; '059 Patent FH, 01-23-2008 Office Action, 04-23-2008 Reply to Office Action, 06-09-2008 Office Action, 09-15-2008 Request for Reconsideration, 12-19-2008 Office Action, 03-18-2009 Amendment/Reply to Office Action, 06-05-2009 Office Action, 09-03-2009 Amendment/Reply to Office Action	TS 25.322 v.63.0; TS 25.322 v6.2.0; TS 25.322 v15.3.0; Plaintiffs' P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions.
2.	“a sequence number of a next packet to be transmitted for the first time by the transmitter”	1	“a Sequence Number of a next Protocol Data Unit (PDU) to be transmitted for a first time (i.e. excluding retransmitted PDUs).”	1:58-62, 2:1-25, 2:39-43, 2:63-3:1, 3:11-20, 4:20-25, 4:31-56, 4:66-5:11, 5:22-35, 6:1-17, 6:21-31, 6:44-53; '059 Patent FH, 01-23-2008 Office Action, 04-23-2008 Reply to Office Action, 06-09-2008 Office Action, 09-15-2008 Request for Reconsideration, 12-19-2008 Office Action, 03-18-2009 Amendment/Reply to Office Action, 06-05-2009 Office Action,	TS 25.322 v6.3.0; TS 25.322 v6.2.0; TS 25.322 v15.3.0; Plaintiffs' P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions.

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
				09-03-2009 Amendment/Reply to Office Action	
3.	“status report unit”	1-4, 8	“A status report comprising at least the sequence number of a PDU.”	1:56-67, 2:4-10, 2:17-25, 2:39-51, 2:63-3:1, 3:32-67, 4:47-56, 4:66-5:35, 5:42-50; FIG. 2, FIG. 3; ’059 Patent FH, 01-23-2008 Office Action, 04-23-2008 Reply to Office Action, 06-09-2008 Office Action, 09-15-2008 Request for Reconsideration, 12-19-2008 Office Action, 03-18-2009 Amendment/Reply to Office Action, 06-05-2009 Office Action, 09-03-2009 Amendment/Reply to Office Action	TS 25.322 v6.3.0; TS 25.322 v6.2.0; TS 25.322 v15.3.0; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions.

**U.S. Patent No. 9,237,489**

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
1.	“eNB”	1, 3-12, 14-22	“an E-UTRAN base station providing 4G/LTE	1:30-40, 1:43-51, 1:56-63, 2:1-6, 2:21-56, 3:18-22, 4:41-5:10, 5:40-67, 6:21-53, 6:61-7:11, 7:16-8:2, 9:1-11:5, FIGs. 1-3, 5-7; ’489	TS 36.300 v9.5.0; TS 36.300 v9.4.0; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
			cellular connectivity to the UE”	Patent FH, 01-28-2015 Office Action, 04-28-2015 Amendment/Reply to Office Action	Contentions; Declaration of Dr. Christopher Hansen.  “The Evolved Packet Core,” 3GPP, <a href="https://web.archive.org/web/20131118045921/http://3gpp.org/technologies/keywords-acronyms/100-the-evolved-packet-core">https://web.archive.org/web/20131118045921/http://3gpp.org/technologies/keywords-acronyms/100-the-evolved-packet-core</a>
2.	“RRCConnectionReconfiguration message”	2, 3, 11, 13, 14, 22	“RRCConnectionReconfiguration message as defined in 4G/LTE standard specification TS 36.331-940”	1:30-40, 1:43-51, 1:56-63, 2:1-6, 2:21-56, 3:18-22, 4:41-5:10, 5:40-67, 6:8-7:11, 7:16-8:2, 9:1-11:5, FIGs. 1-3, 5-7; ’489 Patent FH, 01-28-2015 Office Action, 04-28-2015 Amendment/Reply to Office Action	TS 36.331 v9.4.0; TS 36.331 v9.3.0; R2-105971; R2-105811; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions; Declaration of Dr. Christopher Hansen.
3.	“mobilityControlInfo”	2, 13	“mobilityControlInfo as defined in 4G/LTE standard specification TS 36.331-940”	1:30-40, 1:43-51, 1:56-63, 2:1-6, 2:21-56, 3:18-22, 4:41-5:10, 5:40-67, 6:8-7:11, 7:16-8:2, 9:1-11:5, FIGs. 1-3, 5-7; ’489 Patent FH, 01-28-2015 Office Action, 04-28-2015 Amendment/Reply to Office Action	TS 36.331 v9.4.0; TS 36.331 v9.3.0; R2-105971; R2-105811; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions; Declaration of Dr. Christopher Hansen.

**U.S. Patent No. 9,560,559**

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
1.	“A method for supporting dual connectivity in a wireless communication system, wherein separate eNBs (evolved Node B) are used to support dual connectivity, comprising”	1	Limiting.  “A method for supporting dual connectivity in a wireless communication system, wherein separate eNBs (evolved Node B) are used to support dual connectivity, which is when a UE (User Equipment) is served by both a macro eNB and a small cell eNB, comprising”	1:23-40, 1:44-54, 2:6-30, 5:44-6:17, 6:18-49, 6:50-7:3, Fig. 5; '559 FH, 1/29/2014, Claims, 3/2/2015, Non-Final Rejection, 6/1/2015, Response to Non-Final Rejection, 8/19/2015, Final Rejection, 11/18/2015, Response to Final Rejection, 12/17/2015, Non-Final Rejection, 3/16/2016, Response to Non-Final Rejection, 3/29/2016, Final Rejection, 5/25/2015, Response to Final Rejection, 6/16/2016, Non-Final Rejection, 9/13/2016, Response to Non-Final Rejection	TS 36.321 v11.1.0; TS 36.331 v11.2.0; TR 36.932 v12.0.0; RP-122033; Plaintiffs' P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions.  File History of European Patent EP2765798.
2.	“A method for supporting dual	7	Limiting.	1:23-40, 1:44-54, 2:6-30, 5:44-6:17, 6:18-49, 6:50-7:3, Fig. 5;	TS 36.321 v11.1.0; TS 36.331 v11.2.0; TR 36.932 v12.0.0; RP-



Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
	connectivity in a wireless communication system, wherein separate eNBs (evolved Node B) are used to support dual connectivity and a UE (User Equipment) is served by a first cell controlled by a first eNB, comprising”		“A method for supporting dual connectivity in a wireless communication system, wherein separate eNBs (evolved Node B) are used to support dual connectivity, which is when a UE (User Equipment) is served by both a macro eNB and a small cell eNB, and the UE is served by a first cell controlled by a first eNB, comprising”	’559 FH, 1/29/2014, Claims, 3/2/2015, Non-Final Rejection, 6/1/2015, Response to Non-Final Rejection, 8/19/2015, Final Rejection, 11/18/2015, Response to Final Rejection, 12/17/2015, Non-Final Rejection, 3/16/2016, Response to Non-Final Rejection, 3/29/2016, Final Rejection, 5/25/2015, Response to Final Rejection, 6/16/2016, Non-Final Rejection, 9/13/2016, Response to Non-Final Rejection	122033; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions.  File History of European Patent EP2765798.

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
3.	“eNB” / “evolved Node B”	1, 3, 7, 8, 11	“an E-UTRAN base station providing 4G/LTE cellular connectivity to the UE”	1:23-40, 1:44-54, 2:6-30, 5:44-6:17, 6:18-49, 6:50-7:3, Fig. 5; ’559 FH, 1/29/2014, Claims, 3/2/2015, Non-Final Rejection, 6/1/2015, Response to Non-Final Rejection, 8/19/2015, Final Rejection, 11/18/2015, Response to Final Rejection, 12/17/2015, Non-Final Rejection, 3/16/2016, Response to Non-Final Rejection, 3/29/2016, Final Rejection, 5/25/2015, Response to Final Rejection, 6/16/2016, Non-Final Rejection, 9/13/2016, Response to Non-Final Rejection	TS 36.321 v11.1.0; TS 36.331 v11.2.0; TR 36.932 v12.0.0; TS 36.300 v 10.9.0; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions; Declaration of Dr. Christopher Hansen.
4.	“first eNB”	1, 3, 7, 11	“macro eNB”	1:23-40, 1:44-54, 2:6-30, 5:44-6:17, 6:18-49, 6:50-7:3, Fig. 5; ’559 FH, 1/29/2014, Claims, 3/2/2015, Non-Final Rejection, 6/1/2015, Response to Non-Final Rejection, 8/19/2015, Final Rejection, 11/18/2015, Response to Final Rejection, 12/17/2015, Non-Final Rejection, 3/16/2016, Response to Non-Final Rejection, 3/29/2016, Final Rejection, 5/25/2015, Response to Final Rejection, 6/16/2016, Non-Final	TS 36.321 v11.1.0; TS 36.331 v11.2.0; TR 36.932 v12.0.0; TS 36.300 v 10.9.0; RP-122033; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions.  File History of European Patent EP2765798.

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
				Rejection, 9/13/2016, Response to Non-Final Rejection	
5.	“second eNB”	1, 7, 8	“small cell eNB”	1:23-40, 1:44-54, 2:6-30, 5:44-6:17, 6:18-49, 6:50-7:3, Fig. 5; ’559 FH, 1/29/2014, Claims, 3/2/2015, Non-Final Rejection, 6/1/2015, Response to Non-Final Rejection, 8/19/2015, Final Rejection, 11/18/2015, Response to Final Rejection, 12/17/2015, Non-Final Rejection, 3/16/2016, Response to Non-Final Rejection, 3/29/2016, Final Rejection, 5/25/2015, Response to Final Rejection, 6/16/2016, Non-Final Rejection, 9/13/2016, Response to Non-Final Rejection	TS 36.321 v11.1.0; TS 36.331 v11.2.0; TR 36.932 v12.0.0; TS 36.300 v 10.9.0; RP-122033; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions.  File History of European Patent EP2765798.
6.	[Order of Operations]	1, 7	The steps of claims must be performed in the order listed in the claims.	1:23-40, 1:44-54, 2:6-30, 5:44-6:17, 6:18-49, 6:50-7:3, Fig. 5; ’559 FH, 1/29/2014, Claims, 3/2/2015, Non-Final Rejection, 6/1/2015, Response to Non-Final Rejection, 8/19/2015, Final Rejection, 11/18/2015, Response to Final Rejection, 12/17/2015, Non-Final Rejection, 3/16/2016, Response to Non-Final Rejection, 3/29/2016, Final Rejection, 5/25/2015, Response to Final	Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions; Declaration of Dr. Christopher Hansen.

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
				Rejection, 6/16/2016, Non-Final Rejection, 9/13/2016, Response to Non-Final Rejection	

**U.S. Patent No. 9,736,883**

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
1.	“[first/second] evolved node B (eNB)”	1, 2, 4-11	“a [first/second] E-UTRAN base station providing 4G/LTE cellular connectivity to the UE”	1:25-43, 1:46-2:13, 2:35-64, 3:32:45, 5:13-67, 6:1-7, 6:8-7:40, 7:41-9:22, 9:49-64, Figs 5, 6; ’883 FH 1/29/2014, Claims, 7/1/2015, Election/Restriction Requirement, 8/31/2015, Response to Election/Restriction, 10/7/2015, Non-Final Rejection, 2/3/2016, Response to Non-Final Rejection, 4/6/2016, Final Rejection, 7/5/2016, Response to Final Rejection, 7/27/2016, Non-Final Rejection, 10/31/2016, Response to Non-Final Rejection	TR 36.932 v12.0.0; TS 36.300 v11.4.0; TS 36.331 v11.2.0; TS 36.423 v11.3.0; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions; Declaration of Dr. Christopher Hansen.
2.	Primary Cell”/“PCell”	1, 7	“‘Primary Cell’ as defined in 4G/LTE standard	1:25-43, 1:46-2:13, 2:35-64, 3:32:45, 5:13-67, 6:1-7, 6:8-7:40, 7:41-9:22, 9:49-64, Figs 5, 6; ’883 FH 1/29/2014, Claims, 7/1/2015, Election/Restriction Requirement,	TR 36.932 v12.0.0; TS 36.300 v11.4.0; TS 36.331 v11.2.0; TS 36.423 v11.3.0; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions;

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
			specification TS 36.331 v11.2.0”	8/31/2015, Response to Election/Restriction, 10/7/2015, Non-Final Rejection, 2/3/2016, Response to Non-Final Rejection, 4/6/2016, Final Rejection, 7/5/2016, Response to Final Rejection, 7/27/2016, Non-Final Rejection, 10/31/2016, Response to Non-Final Rejection	Declaration of Dr. Christopher Hansen.
3.	“Secondary Cell”/“SCell”	1, 7	““Secondary Cell” as defined in 4G/LTE standard specification TS 36.331 v11.2.0”	1:25-43, 1:46-2:13, 2:35-64, 3:32:45, 5:13-67, 6:1-7, 6:8-7:40, 7:41-9:22, 9:49-64, Figs 5, 6; ’883 FH 1/29/2014, Claims, 7/1/2015, Election/Restriction Requirement, 8/31/2015, Response to Election/Restriction, 10/7/2015, Non-Final Rejection, 2/3/2016, Response to Non-Final Rejection, 4/6/2016, Final Rejection, 7/5/2016, Response to Final Rejection, 7/27/2016, Non-Final Rejection, 10/31/2016, Response to Non-Final Rejection	TR 36.932 v12.0.0; TS 36.300 v11.4.0; TS 36.331 v11.2.0; TS 36.423 v11.3.0; Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions; Declaration of Dr. Christopher Hansen.
4.	“the UE has multiple paths via different eNBs”	4, 10	Indefinite.	1:25-43, 1:46-2:13, 2:35-64, 3:32:45, 5:13-67, 6:1-7, 6:8-7:40, 7:41-9:22, 9:49-64, Figs 5, 6; ’883 FH 1/29/2014, Claims, 7/1/2015, Election/Restriction Requirement, 8/31/2015, Response to	Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions; Declaration of Dr. Christopher Hansen.

Term #	Claim Term	Claim(s)	Preliminary Construction	Intrinsic Evidence	Extrinsic Evidence
				Election/Restriction, 10/7/2015, Non-Final Rejection, 2/3/2016, Response to Non-Final Rejection, 4/6/2016, Final Rejection, 7/5/2016, Response to Final Rejection, 7/27/2016, Non-Final Rejection, 10/31/2016, Response to Non-Final Rejection	
5.	“data path for a first radio bearer”/“data path for a second radio bearer”/“data path for a third radio bearer”	1-4, 7-10	Indefinite.	1:25-43, 1:46-2:13, 2:35-64, 3:32:45, 5:13-67, 6:1-7, 6:8-7:40, 7:41-9:22, 9:49-64, Figs 5, 6; ’883 FH 1/29/2014, Claims, 7/1/2015, Election/Restriction Requirement, 8/31/2015, Response to Election/Restriction, 10/7/2015, Non-Final Rejection, 2/3/2016, Response to Non-Final Rejection, 4/6/2016, Final Rejection, 7/5/2016, Response to Final Rejection, 7/27/2016, Non-Final Rejection, 10/31/2016, Response to Non-Final Rejection	Plaintiffs’ P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions; Declaration of Dr. Christopher Hansen.

Dated: October 30, 2024

Respectfully submitted,

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WIRELESS, ERICSSON INC. AND  
NOKIA OF AMERICA CORPORATION**



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record via the electronic mail on October 30, 2024.

/s/ Nicholas Mathews  
Nicholas Mathews